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INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY
RUEHBY/AMEMBASSY CANBERRA 2669
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RUEHKA/AMEMBASSY DHAKA 1032
RUEHNE/AMEMBASSY NEW DELHI 1938
RUEHKO/AMEMBASSY TOKYO 2126
RUEHWL/AMEMBASSY WELLINGTON 2766
RUEHHK/AMCONSUL HONG KONG 2758
RUEHBA/AMCONSUL PERTH 0902
RUEAIIA/CIA WASHDC
RHEFDIA/DIA WASHINGTON DC
RHMCSUU/FBI WASHINGTON DC
RUEAWJA/DEPT OF JUSTICE WASHDC
RHEHNSC/NSC WASHDC
RUEKJCS/SECDEF WASHDC
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C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 001226

SIPDIS

DEPT FOR EAP, EAP/MTS, EAP/MLS, S/CT
INL FOR BOULDIN/BUHLER
DOJ FOR CRIM AAG SWARTZ, DOJ/OPDAT FOR
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TAGS: [PGOV](#) [KJUS](#) [PTER](#) [ID](#)
SUBJECT: BALI BOMBERS STILL AWAITING EXECUTION

REF: JAKARTA 883 AND PREVIOUS

Classified By: Pol/C Joseph Legend Novak, reasons 1.4(b+d).

11. (C) SUMMARY: The three terrorists convicted for their roles in the October 2002 Bali bombings are still awaiting execution almost five years after their initial convictions. Incarcerated in Indonesia's "death row" prison, the three have reportedly exhausted all legal recourse. Given that the cases have dragged out, there is some speculation that the government--perhaps fearing a backlash from Islamic groups--wants to postpone the executions until after the 2009 elections. For its part, the GOI says it is committed to seeing justice done. If the executions are carried out, most observers expect some turbulence, but nothing major. END SUMMARY.

ON DEATH ROW

12. (SBU) The three Jemmaah Islamiyah terrorists convicted for their participation in the October 2002 Bali bombings remain on death row. Amrozi bin Nurhasyim, Imam Samudra and Ali Gufron alias "Muklas" are incarcerated in Nusa Kambangan Prison. The maximum security prison--which was established during the Dutch colonial period (earning a fearsome reputation at that time)--is located on an island off of Central Java's southern coast. The prisoners have access to their families and sometimes are given access to the press. (Note: Nusa Kambangan Prison remains an unpredictable place: it was the scene of rioting on June 23. Nigerian prisoners reportedly became angry when the GOI announced the planned execution of two of their fellow nationals who had been convicted of drug smuggling. There are no reports that the three Bali bombers were in any way affected by the turbulence, which had abated as of June 24.)

APPARENTLY NO LEGAL RECOURSE

13. (SBU) The three men have reportedly exhausted all legal

recourse. Originally convicted in August 2003, the three have used up their appeals and "right of legal review." They could request clemency from the GOI, but they have so far refused to do this, emphasizing that they are proud of their terrorist actions. Under Indonesian law, the families of the three can also request clemency for them, but they have apparently not done so either.

14. (C) Once the GOI decides to move forward, President Yudhoyono needs to sign the death sentence for each man before the executions can take place. The site has been determined: Balinese authorities had requested that the executions take place in Bali, but the GOI says the site will be Nusa Kambangan Prison. The method of execution, however, has yet to be determined. Indonesia traditionally uses a firing squad to carry out death sentences, but Amrozi--citing what he characterizes as "Islamic tradition"--has requested beheading. A GOI prosecutor told poloff that the GOI would most likely use a firing squad for the executions.

A POLICY OF POSTPONING?

15. (C) There is some speculation that the government wants to postpone the executions as long as possible. Under this scenario, the GOI would act to postpone matters until after the 2009 presidential and legislative elections. Alvin Lee, a member of Parliament, told Pol/C that he was convinced that the government "did not want to anger Islamic groups" and would "work to postpone the executions for as long as possible." Given that the cases are dragging out, other

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observers have also questioned the government's intentions in this matter.

GOI SAYS IT IS COMMITTED

16. (C) That said, the government has underscored that it is committed to justice in this matter. Echoing comments by other officials, Tri Sukma Djandam of the President's International Affairs Office told Pol/C that the GOI would execute the three once "all legal niceties are finished." According to Sidney Jones, Senior Advisor for the International Crisis Group, the GOI is ready to execute the terrorists as soon as President Yudhoyono signs the death sentences. Jones cited a GOI prosecutor who told her that Yudhoyono was being very deliberate in his final decision because of concerns about a possible backlash.

THE TIMING IS UP IN THE AIR

17. (C) At this point, the timing of the executions remains up in the air. The GOI seems to have the legal right to move forward at any time. Some GOI officials have told us they think the executions will occur by the end of July, but Jones believes the executions could be delayed until later in the summer, but before the onset of the Ramadhan season in September.

18. (C) In any case, the government would probably choose to take steps quickly and quietly in order to dampen the possibility of disturbances. If the sentences are carried out, observers expect that there will be some turbulence sparked by Islamic fringe groups, although nothing too major.

(Note: In a recent interview with an Indonesian extremist publication, Amrozi stated that terrorist groups would seek to avenge his and his accomplices' deaths, should they be executed. Mission recently held an EAC on the matter, agreeing that at this time we are not aware of any credible threat.)

HUME